

## National Association of Regional Planning Committees



National Association of Regional  
Planning Committees  
1214 Bald Hill Road, Jefferson City MO  
314-223-2191  
stephendevine@mchsi.com

06/24/04

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12th Street, SW  
Washington, DC 20554

Re: WT Docket 00-32

Dear Ms. Dortch,

The National Association Regional Planning Committees (NARPC) wishes to express its support for the National Public Safety Telecommunications Council petition for reconsideration, filed with the Commission on July 30, 2003. Furthermore, the Association formally requests that the Commission defer their requirement for Regional Planning Committees to develop 4.9 GHz plans until 12 months after the Commission has issued their Final Ruling on NPSTC's Petition.

The National Association of Regional Planning Committees, an association formed to support public safety regional planning activities in the 700 MHz, 800 MHz and 4940-4990 MHz band, supports the NPSTC request that the FCC reconsider their emission mask characteristics. Specifically, we support the use of the 802.11a/DSRC-A mask at power levels less than or equal to 20 dBm, and the use of the DSRC-C mask at levels above that. Furthermore, NARPC disagrees with Motorola and Proxim's position that the transmitter power levels above 0 dBm should require use of the tighter, more restrictive mask. We feel that this is an unduly burdensome restriction, and that it will significantly limit the number of manufacturers that can offer Public safety equipment within the 4.9 GHz band, ultimately restricting the availability of new and advanced technologies within the band. In addition, the Motorola and Proxim position infers that additional adjacent and co-channel protection is required as public safety currently does not provide, or will be unable to



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provide an incident command/incident management environment at first responder scenes, which is inaccurate. The public safety community has *always* been responsible for on-scene management when responding to critical incidents, and the management of broadband resources, and their applications, will be no different. While the mechanism used in broadband resource management may differ from traditional methods of spectrum management, the responsibility of effective management which will enable first responders to complete their mission is not removed from the Incident Commander and the responding agencies.

The allocation of 4940-4990 MHz is a unique opportunity for public safety-first responder users to *cost effectively* improve the services they provide to citizens, while utilizing enhanced capabilities of new broadband applications. The Commissions rules, which inadvertently limit an existing broadband manufacturers ability to participate in providing products in the new band, will have negative implications to the public safety community through higher costs, reduced competition and less overall product availability. Both first responders and the citizens they serve will feel this impact. The creation of a niche market should be avoided whenever possible.

The National Association of Regional Planning Committees also supports the NPSTC position that all 4.9 GHz licenses should conform to the requirements of their local 4.9 GHz Regional planning guidelines identified by the Regional Planning Committee. Without such a requirement, it will be difficult, if not impossible, to utilize 4.9 GHz resources effectively in support of public safety's mission-critical communications applications. If the Regional Planning Committees are not afforded a role similar to what they currently hold in managing public safety's 821-824/866-869 MHz (FCC Docket 87-112) and 764-776/794-806 MHz (FCC Docket 96-86), then the 4.9 GHz band will have no consistent regulatory/management body nationwide to effectively manage interference, promote its effective use between adjacent regions, and facilitate interoperable use in the band. This oversight, and the resulting confusion from the lack of continuity in spectrum management across regions, would have negative implications for years to come throughout public safety.

Finally, the National Association of Regional Planning Committees formally request that the Commission delay the requirement that Regional Planning Committees have completed their 4.9 GHz plans by July 30, 2004<sup>1</sup>. Region 24 has been active in developing planning guidelines for the region, which include the metropolitan areas of Kansas City and St Louis as well as rural areas with 4.9 GHz working groups focusing on the various aspects of technology, interoperability, spectrum management and applications. The inter-agency management of this spectrum at the local level, as introduced by the Commission, will be radically new to the public safety user community and will introduce a level of interoperability not previously required in traditional public safety communications. Since many deployment issues associated with 4.9 GHz are still unresolved due to the open Petition for Reconsideration, we cannot proceed further at this point without the clarification sought in the NPSTC Petition. We feel that the due date for plan submission to the FCC should be a minimum of twelve (12) months following the Commissions final action on NPSTC Petition for Reconsideration.

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<sup>1</sup> Para 26 WT Docket No. 00-32, MEMORANDUM OPINION AND ORDER AND THIRD REPORT AND ORDER, Released: May 2, 2003. "...we will require that within six months of the effective date of the rules adopted herein, the 700 MHz band regional planning committees (RPCs) must have a meeting for the express purpose of initiating consideration of coordination procedures for the 4.9 GHz band. Within twelve months of the effective date of the rules adopted herein, each RPC must provide the FCC with a copy of its plan."



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Please feel free to contact the National Association of Regional Planning Committees at 314-223-2191 should you have any questions regarding our position on this proceeding.

Sincerely,

Stephen T. Devine, Chairperson

Region 24 700 MHz Regional Planning Committee

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